

REMARKS

The final Office Action mailed January 24, 2006, has been carefully studied. Upon entry of the amendments presented above, the claims in the application will be claims 11-16; these claims call for novel and non-obvious subject matter, and therefore should be allowed. Applicants therefore respectfully request favorable reconsideration, entry of the amendments above, and allowance.

Claims 7 and 9 have been rejected under the second paragraph of Section 112 as being sufficiently indefinite so that they do not particularly point out and distinctly claim the subject matter which the applicants regard as their invention. The rejection is respectfully traversed.

Nevertheless, in deference to the examiner's views and to avoid needless argument, applicants propose above to delete previously pending claims 7-10 and replace them with new claims 11-16, which new claims do not contain the criticized language of claims 7 and 9.

Accordingly, entry of the above amendments and withdrawal of the rejection are respectfully requested.

The rejection of the earlier Office Action has been applied against claims 7-10, i.e. claims 7-10 have been rejected as obvious under Section 103 from Parikka in view of Apgar. The rejection is respectfully traversed.

Frankly, but respectfully, applicants have a difficult time understanding how any obviousness rejection can be imposed against applicants' claims, either those previously pending or those proposed above, based on Parikka which teaches something quite opposite to applicants' embodiments. Thus, Parikka discloses a light source arrangement for planar

applications wherein, as clearly seen in Fig. 4, light is directed upwardly, contrary to applicants' embodiments. The rejection refers to Figs. 3a, 3b and 3c, but this is only part of the Parikka disclosure, and indeed the PTO acknowledges in the rejection that Parikka does not disclose a light-shielding member configured according to applicants' embodiments.

Thus, the PTO relies on Apgar as purportedly making it obvious to change Parikka in such a way as to reach applicants' claims, but such a change in Parikka could not have been obvious as it would destroy Parikka for its intended purpose, i.e. such purpose of Parikka being to direct the light from the light emitting diode upwardly as shown in Fig. 4. In this regard, Parikka states at about the middle of column 4 as follows:

FIG. 4 is a schematic cross-section through an illumination arrangement according to the invention.

The person of ordinary skill in the art, seeking to follow Parikka, will clearly follow what Parikka teaches to be "according to the invention" as shown in Fig. 4. Parikka continues:

An encapsulated light source **402** having the structure described above in connection with one of FIGS. 3a to 3c is attached to a pair of connection pads **403** ...; in other words a surface mounted version of the encapsulated light source is used. A planar light guide **404** lies between the PCB **401** and an LCD element **405** so that a significant amount of the light emitted by the encapsulated light source is coupled into the light guide. The optical characteristics of the planar light guide, known as such, are such that it will scatter and refract the light coupled into it *upwards* through the LCD element thus providing a backlight to the display. (*italics added*)

This is contrary to the present invention wherein light is prevented from moving upwardly due to the shielding provided.

The person of ordinary skill in the art would not fly in the face of Parikka by anything disclosed in Apgar or elsewhere to prohibit light from moving upwardly.

Moreover, Apgar appears to suggest shielding the side surfaces rather than the upper and lower surfaces, and this also seems to be the PTO interpretation of Apgar noting the paragraph spanning pages 3 and 4 of the final action. Thus, even if it were obvious to modify Parikka in view of Apgar, the resultant reconstruction of Parikka would not correspond to the claimed subject matter.

Applicants respectfully pointed out in the last Reply at the top of page 12 that, even if it were obvious to combine Parikka and Apgar, i.e. to modify Parikka as taught by Apgar to shield the plastic encapsulation 20 of Apgar so that light would be transmitted in only one direction, which obviousness is respectfully denied, that applicants' claims would still not be reached, i.e. the structure that light is emitted from the front light emitting part and the right and left sides adjacent to the front emitting part (see applicants' Fig. 1) while light from the upper and bottom light emitting parts are shielded, would not be achieved, i.e. applicants' claims would still not be reached.

With respect, applicants do not see that the PTO has answered or rebutted the aforementioned argumentation. Applicants respectfully refer to MPEP 707.07(f) which indicates that, where the applicant traverses any rejection, the PTO should "take note of applicant's argument and answer the substance of it."

Generally, the same point is made in MPEP 706.07 where it is stated that "the final rejection ... should include a rebuttal of any arguments raised in the applicant's Reply." If an applicant's arguments are not answered or

rebutted, the applicant does not know or understand why the PTO maintains its position, i.e. in the present case applicants do not understand why the examiner disagrees with what has been argued.

Applicants respectfully submit that they have presented valid reasons why the claimed subject matter would not have been obvious to the person of ordinary skill in the art at the time the present invention was made from a consideration together of Parikka and Apgar, and the PTO has not explained why applicants are incorrect. In terms of the law, applicants respectfully submit that the basic requirements of a *prima facie* case of obviousness as summarized in MPEP 2143 have not been met by the PTO.

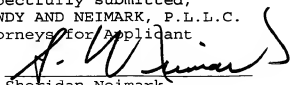
Withdrawal of the rejection is in order and is respectfully requested.

Applicants attach hereto a proposed amendment of Fig. 1 in which the only change is the correction of the x and y axes, and applicants request approval of such drawing change which will then be formally presented.

Applicants submit that all issues raised in the final action are addressed above in a manner which would lead to withdrawal of the rejection, entry of the amendments submitted above and formal allowance. Such are respectfully requested.

Respectfully submitted,
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